

draft

The Little Traverse Bay Bands of Odawa Indians Tribal Council
Tribal Court Room 1150 Bayview, Petoskey, MI 49770
July 21, 2002
Smudging: 9:15 am
9:30 am

Executive Session: no

Call to order: Meeting was called to order at 9:38 am

Council present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony,
Secretary Fred Harrington Jr., Treasurer Alice Yellowbank, Councilor Janet Shomin,
Councilor Beatrice A. Law

Council absent: Councilor Rita Shananaquet, excused

Staff present: See attached list

Guests: See attached list

Motion made by Vice-Chairman George Anthony and supported by Treasurer Alice
Yellowbank, to approve the agenda of July 21, 2002 as amended

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Rita Shananaquet)

Motion carried

9:43 am, recessed for photos

10:03 am, reconvened

Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairman George
Anthony, to accept the corrected minutes of July 21, 2002

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Rita Shananaquet)

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law,
to accept the Tribal Administrator's written and verbal report for July 21, 2002.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Rita Shananaquet)

Motion carried

10:25 am, Councilor Rita Shananaquet arrived

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A.
Law, to sanction August 30, 2002 as 2002 Employee Appreciation Day and provide daily
wages for governmental employees who participate.

Vote: 2 Yes, 4 No (Treasurer Alice Yellowbank, Vice-Chairman George Anthony,
Chairman Gerald V. Chingwa, Councilor Janet Shomin, Councilor Rita Shananaquet), 0
Abstained, 0 Absent

Motion failed

draft

1 Motion made by Councilor Janet Shomin and not supported, to sanction August 30, 2002
2 as Employee Appreciation Day.

3 Motion dies due to lack of support
4

5 Motion made by Councilor Beatrice A. Law and supported by Secretary Fred Harrington
6 Jr., to authorize the Tribal Chairman or his designate to meet with the Michigan Public
7 Service Commission to resolve the utility billing problems presently plaguing the Tribal
8 Housing Development on Heynig Rd., Harbor Springs, Michigan.

9 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

10 Motion carried
11

12 Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A.
13 Law to approve increasing the wages of 23 employees defined as underpaid according to
14 the Michael Goree Wage Grid Study at a cost of \$48,255 o come from the Enterprise
15 Fund.

16 Support and motion withdrawn
17

18 Motion made by Secretary Fred Harrington Jr. and supported by Councilor Janet Shomin,
19 to approve the use of the Cemetery Rd. house as a transitional home for Tribal Members,
20 managed by the LTBB Housing Department, upon review and approval of procedures for
21 Transitional Housing.

22 Vote: 4 Yes, 3 No (Councilor Rita Shananaquet, Chairman Gerald V. Chingwa, Vice-
23 Chairman George Anthony), 0 Abstained, 0 Absent

24 Motion carried
25

26 Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice
27 Yellowbank, to rescind the motion to approve the use of the Cemetery Rd. house as a
28 transitional home for Tribal Members, managed by the LTBB Housing Department, upon
29 review and approval of procedures for Transitional Housing.

30 Vote: 5 Yes, 2 No (Councilor Janet Shomin, Secretary Fred Harrington Jr.), 0
31 Abstained, 0 Absent

32 Motion carried
33

34 Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A.
35 Law, to approve \$700 for the Tribe to participate in the Venetian Festival to come from
36 the Enterprise Fund, General Welfare, Cultural Activities line item.

37 Vote: 6 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 0 Absent

38 Motion carried
39

40 Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A.
41 Law, to accept the Tribal Chairman's written and verbal report for July 21, 2002.

42 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

43 Motion carried
44

45 Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice
46 Yellowbank, to adopt Resolution # 072102-01 Tribal Council Code of Ethics.

draft

1 Roll Call Vote: Chairman Gerald V. Chingwa- yes, Vice-Chairman George Anthony- yes
2 Treasurer Alice Yellowbank- yes Secretary Fred Harrington Jr.- yes Councilor Janet
3 Shomin- no Councilor Rita Shananaquet- no Councilor Beatrice A. Law- yes
4 Vote: 5 Yes, 2 No, 0 Abstained, 0 Absent
5 Motion carried

6
7 12:05 pm, public comment, Gary Shomin, Rosemary Knapp, Janice Shackelford, Ellie
8 Barber, Gary Shomin, Carla McFall
9 12:10 pm, public comment closed

10
11 12:10 pm, recessed for lunch until 1:30 pm
12 1:35 pm, reconvened

13
14 Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A.
15 Law, to accept the Gaming Administration's report and July 2002 financial statements as
16 presented by General Manager Ron Olson.
17 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent
18 Motion carried

19
20 Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A.
21 Law, to adopt resolution #072102-02 Submission of Corrected Membership Roll to be
22 published in the Federal Register.
23 Roll Call Vote: Chairman Gerald V. Chingwa- y Vice-Chairman George Anthony- y
24 Treasurer Alice Yellowbank- y Secretary Fred Harrington Jr.- y Councilor Janet Shomin-
25 y Councilor Rita Shananaquet- y Councilor Beatrice A. Law- y
26 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent
27 Motion carried

28
29 Motion made by Secretary Fred Harrington Jr.
30 and supported by Councilor Beatrice A. Law, to approve Enrollment List C – Declination
31 (Lack of Documentation) dated July 11, 2002.
32 Vote: 6 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 0 Absent
33 Motion carried

34
35 3:09 pm, recessed
36 3:15 pm, reconvened

37
38 Motion made by Councilor Beatrice A. Law and supported by Secretary Fred Harrington
39 Jr., to approve the Behavioral Health Program as presented by Angie Woodin with a
40 budget of \$206,135 to come from the Enterprise Fund, General Welfare, Grandmother's
41 Wisdom line item and to modify that budget to increase the FY 2003 line item by
42 \$206,135.
43 Vote: 3 Yes, 4 No (Councilor Janet Shomin, Councilor Rita Shananaquet, Vice-
44 Chairman George Anthony, Chairman Gerald V. Chingwa), 0 Abstained, 0 Absent
45 Motion failed

draft

1 Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George
2 Anthony, to approve mileage lodging and per diem for Tribal Council Members to attend
3 the Saginaw Chippewa Tribe's, First Annual Family Summit.

4 Vote: 5 Yes, 2 No (Treasurer Alice Yellowbank, Councilor Beatrice A. Law), 0
5 Abstained, 0 Absent

6 Motion carried

7
8 Motion made by Councilor Janet Shomin and supported by Vice-Chairman George
9 Anthony, to add Waganakising Odawak Statute, LTBB Off-Reservation (Ceded
10 Territory) Hunting, Fishing and Gathering

11 Vote: 6 Yes, 1 No (Secretary Fred Harrington Jr., written comment attached), 0
12 Abstained, 0 Absent

13 Motion carried

14
15 Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairman George
16 Anthony, support withdrawn, to close the Enterprise Sweep account at National City
17 Bank and utilize only the Primary Sweep Account and to transfer the balance of the
18 Enterprise Sweep Account to the Primary Sweep account.

19 Motion withdrawn

20
21 Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairman George
22 Anthony, to postpone the request from the Accounting Department until the next Tribal
23 Council meeting for legal review.

24 Vote: 5 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Rita
25 Shananaquet)

26 Motion carried

27
28 Motion made by Councilor Beatrice A. Law
29 and supported by Vice-Chairman George Anthony,
30 to pay the #00417, taxes for the Pelston House in the amount of \$491.14 to come from
31 the Enterprise Fund, Economic Development, Capital Acquisitions/Improvements line
32 item.

33 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

34 Motion carried

35
36 4:25 pm, public comment, Rosemary Knapp

37 4:28 pm, public comment closed

38
39 Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice
40 Yellowbank, to approve reimbursement of the Education Department Budget \$1400 for
41 the cost of the meal served at the LTBB Community meeting to come from the
42 Administration Indirect Cost Category line item.

43 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

44 Motion carried

draft

1 Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice
2 Yellowbank, to approve reimbursing the Education Department Budget \$2250 for costs
3 of the meal served at the Native American Day held May 2, 2002 at North Central
4 Michigan College to come from the Enterprise Fund, Cultural line item.

5 Vote: 4 Yes, 3 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Vice-
6 Chairman George Anthony), 0 Abstained, 0 Absent

7 Motion carried

8
9 Motion made by Councilor Beatrice A. Law and supported by Treasurer Alice
10 Yellowbank, to approve the contract for Assistant General Counsel between Little
11 Traverse Bay Bands of Odawa Indians and Allie Greenleaf Maldonado (Attorney), LTBB
12 Member.

13 Vote: 4 Yes, 2 No (Councilor Rita Shananaquet, Councilor Janet Shomin), 1
14 Abstained, 0 Absent

15 Motion carried

16
17 Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice
18 Yellowbank to approve \$600 to sponsor Kyle and Sampson Shomin's attendance at the
19 North American Indian Games to come from the Enterprise Fund, Donations, line item.

20 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

21 Motion carried

22
23 5:30 pm, Motion made by Secretary Fred Harrington Jr.
24 and supported by Vice-Chairman George Anthony, to adjourn.

25 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

26 Motion carried

27
28 These minutes have been read and approved as written:

29 Recorded by:

30
31
32 _____
33 Fred Harrington Jr., Tribal Secretary

Date

34
35 Written comments from Secretary Fred Harrington Jr.:

36 I am against the LTBB Off-Reservation Hunting, Fishing and Gathering Statute for the
37 following reasons. These regulations have denied our Tribal Members the right to
38 subsistence hunt fish and gather. They are nothing more than a copy of the state's sport
39 regulations. Our Treaties gave us the right to subsistence hunting fishing, I do not believe
40 the Treaties gave us the right to kill animals for sport. If we are to regulate such activities
41 it should only allow for sport killing after all subsistence hunters, fishers and gatherers
42 have taken what they need with in the allowances recommended by our biologists. This
43 law is a Tribal Governmental abrogation of our Treaty Rights and will hurt us in future
44 fights against the state.